

Page 1 of 2

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Courtroom 940
DATE: 12/16/2020
TIME: 2:18

BEFORE: GARY R. BROWN, U.S. DISTRICT JUDGE

CASE: CIVIL TELEPHONE PRE-MOTION CONFERENCE
20CV 4780 [Gargano v. Massapequa Union Free School District et al](#)

APPEARANCES: Plaintiff: D. Christopher Mason

Defendant: Leo Dorfman, Robert Devine
COURT REPORTER/FTR**#: 2:18-2:45

Motion for: to dismiss

Movant: defendants

Case called.

☒ Counsel for all sides present.

☒ Pre-motion conference held.

☐ Parties to meet and confer and submit a schedule within 2 weeks.

☐ Motion Schedule set. Motion served by:

Response served by:

Reply and all papers filed by:

☐ Discovery to proceed while motion is pending. Parties to contact Magistrate Judge assigned to the case to schedule an Initial Conference.

☐ Choose an item.

☒ Motion argued.

☒ The Court deems the motion made.

☐ Motion is Choose an item. (** No written decision**)

☒ Other: Motion granted. All claims except the fraud claim are dismissed with prejudice. The Case is dismissed without prejudice to refiling the fraud claim in state court. The clerk is directed to enter judgment and close this case.

☐ The parties are to submit order on notice to all parties.

☐ Settlement discussed. Choose an item.

☐ Jury Selection and trial set for:

Joint pretrial order due by:

** To obtain a copy of the transcript counsel should contact ESR Central Islip at (631) 712-6030. Instructions and forms for requesting a transcript can be found at <https://www.nyed.uscourts.gov/> under the *Court Information* tab.